

08/968,208

Case No. 4380 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Russell Higuchi

Serial No.: 09/968,208

Filed: November 12, 1997

For: **HOMOGENEOUS METHODS FOR  
NUCLEIC ACID AMPLIFICATION  
AND DETECTION**

Group Art Unit: 1743

Examiner: J. Snay

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being  
facsimile transmitted to Examiner J. Snay in Group 1743,  
at the United States Patent and Trademark Office, fax  
number 703-872-9747, on

June 27, 2001

(Date of Deposit)

Vincent M Powers

Name of Depositing Party

Vincent M Powers

Signature of Depositing Party

AMENDMENT UNDER 37 CFR § 1.111

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

With reference to the final Office action mailed February 27, 2001, and the Request for Continued Examination submitted concurrently herewith, please amend the application as follows. A Petition for a 1-Month Extension of Time is enclosed.

In the Specification:

Please replace the paragraph at page 2 lines 32-38 with:

-- Copending U.S. Serial No. 563,758, filed August 6, 1990 (now U.S. Patent No. 5,210,015), and incorporated herein by reference, describes an alternative assay method for detecting amplified nucleic acids. The process employs the 5' to 3' nuclease activity of a nucleic acid polymerase to cleave annealed, labeled oligonucleotides from hybridized duplexes and release labeled oligonucleotide fragments for detection. The method is suitable for detecting PCR products and requires a primer pair and a labeled oligonucleotide probe having a blocked 3'-OH terminus to prevent extension by the polymerase.--